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UNCLAS CALCUTTA 000206

SIPDIS

SENSITIVE

STATE FOR SA/INS AND INR

E.O. 12958: N/A

TAGS: [PGOV](#) [IN](#)

SUBJECT: BIHAR STATE ASSEMBLY DISSOLVED

REF: CALCUTTA 000100

1. (SBU) SUMMARY: In the early hours of May 23, following Governor Buta Singh's recommendation, the United Progressive Alliance (UPA) Government at the Center dissolved the Bihar State Assembly. The State Assembly had previously been placed under a state of "suspended animation" (in which elected legislators cannot exercise their constitutional powers), following the imposition of President's Rule on March 7, 2005 as no party nor alliance won a clear majority in the February 2005 elections and none of the state's competing political factions could cobble together a majority and form a popular government (REFTEL Calcutta 000100). The UPA government made the decision to head off the growing possibility that the opposition National Democratic Alliance (NDA) could attract enough legislators from other parties to break the logjam and take power. END SUMMARY.

2. (U) On May 22, the Bihar Governor recommended dissolution of the assembly after a group of Lokjanshakti Party (LJP) legislators broke with LJP leader Ram Vilas Paswan and announced their intention to back an NDA government led by Janata Dal (United) [JD(U)] leader Nitish Kumar. Bihar Governor Buta Singh had earlier confirmed that he had intelligence reports citing rampant "horse-trading" by the NDA (offering cash or future positions to wean away legislators) to attract LJP legislators. On May 23, President APJ Abdul Kalam (while in Russia) accepted the Cabinet's recommendation to dissolve the State Assembly of Bihar. Union Home Minister Shivraj Patil said the UPA decision was made to preclude the buying and selling of legislators by unscrupulous political parties in the state.

3. (SBU) Calling the dissolution unconstitutional, NDA leaders in Bihar have called for a statewide general strike on May 24 to demand the immediate recall of the Governor. Member of Parliament and Vice President of the Bharatiya Janata Party (BJP) Sushil Kumar Modi told Post that the recommendation to dissolve the Assembly was made at "the behest of Union ministers Ram Vilas Paswan and Lalu Prasad" to prevent Nitish Kumar from forming an NDA government in the state. Union Home Minister Patil confirmed that the Election Commission would begin preparing for new elections, but observers in Bihar have noted that elections are unlikely until after the seasonal monsoon floods abate in September.

4. (SBU) COMMENT: LJP leader Paswan, who emerged as a potential kingmaker after the February elections, has been trying to form a non-BJP and a non-Rashtriya Janata Dal (RJD) state government, but could not come up with enough legislators to procure a majority. LJP Legislators, frustrated at the logjam, revolted and crossed over to the rival JD(U). The prospect that the NDA could form the government in Bihar and hand a major defeat to the UPA was enough to compel the usually feuding RJD leader and Union Railway Minister Lalu Prasad and Union Steel Minister Paswan to bury their differences and unite to keep the NDA out of power. UPA sources in Delhi are confident that with Congress support Lalu's RJD will return to power in new elections. Observers told Post that the Election Commission is unlikely to announce the date for a new election until at least September 6, when the first six-month term of President's Rule expires. END COMMENT.

This message has been cleared by Embassy New Delhi.

SHULTZ